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VIA ECF

Hon. Arun Subramanian
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St. Courtroom 15A
New York, NY 10007-1312

Re: *Flynn et al, v. Cable News Network, Inc.*, No. 1:21-cv-02587-AS-SLC – Letter-Motion to File Confidential and Highly Confidential Materials Under Seal


Dear Judge Subramanian:

We represent Defendant Cable News Network, Inc. (“CNN”) in the above-referenced action. Pursuant to the Federal Rules of Civil Procedure 5.2(e) and 26(c), and Your Honor’s Individual Practice Rule 11B, we respectfully request to file the redacted portions of CNN’s concurrently-filed Motion for Summary Judgment (*i.e.*, Defendant’s Memorandum of Law in Support of its Motion for Summary Judgment, Defendant’s Rule 56.1 Statement of Undisputed Material Facts, and certain confidential exhibits and deposition transcripts) under seal given that these documents cite to exhibits and deposition testimony that Plaintiffs’ counsel has designated as “Confidential” or “Highly Confidential” pursuant to the parties March 15, 2022 Confidentiality Stipulation and Protective Order (ECF Doc. No. 60) in this action.

Pursuant to Your Honor’s Individual Practice Rule 11Ci, counsel for Defendant and Plaintiffs met and conferred, but Plaintiffs’ counsel did not de-designate any material. Counsel for Defendant also reached out to a third party’s counsel to meet and confer on its confidentiality designations, but no response was received.

Respectfully Submitted,

Davis Wright Tremaine LLP


Katherine M. Bolger